

ACTUAL PERFORMANCE FOR OUTPUT/EFFICIENCY MEASURES

448 - Office of Injured Employee Counsel

Fiscal Year 2012

9/26/2012

Agency: 448 Office of Injured Employee Counsel

Type/Strategy/Measure	2012 Target	2012 Actual	2012 YTD	Percent of Annual Target	
Output Measures					
<u>1-1-1 OMBUDSMAN PROGRAM</u>					
2 # OF BRC W/ OMBUDSMAN ASSISTANCE					
Quarter 1	3,515.00	1,662.00	1,662.00	47.28 % *	703.00 - 1,054.50
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) exceeded this measure's target for the first quarter of FY 2012 because the number of Benefit Review Conferences (BRC) with Ombudsman assistance was higher than anticipated. The number of BRCs with Ombudsman assistance has increased 66 percent compared to the same time period last year. In the first quarter of FY 2012, there were 1,648 BRCs held with Ombudsman assistance and in the first quarter of FY 2011 there were only 991.					
Quarter 2	3,515.00	1,772.00	3,434.00	97.70 % *	1,581.75 - 1,933.25
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) exceeded this measure's target for the second quarter of FY 2012 because the number of Benefit Review Conferences (BRC) with Ombudsman assistance was higher than anticipated. The number of BRCs with Ombudsman assistance has increased 75 percent compared to the same time period last year. In the second quarter of FY 2012, there were 1,765 BRCs held with Ombudsman assistance and in the second quarter of FY 2011 there were only 1,009.					
Quarter 3	3,515.00	1,978.00	5,412.00	153.97 % *	2,460.50 - 2,812.00
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) exceeded this measure's target for the third quarter of FY 2012 because the number of Benefit Review Conferences (BRC) with Ombudsman assistance was higher than anticipated. The number of BRCs with Ombudsman assistance has increased 39 percent compared to the same time period last year. In the third quarter of FY 2012 there were 1,963 BRCs held with Ombudsman assistance and in the third quarter of FY 2011 there were only 1,410.					
Quarter 4	3,515.00	1,814.00	7,226.00	205.58 % *	3,339.25 - 3,690.75
<u>Explanation of Variance:</u> OIEC exceeded this measure's target in FY 2012 due to the substantial increase in the need for Ombudsman assistance, which was significantly higher than anticipated. The number of BRCs with Ombudsman assistance has increased 83 percent compared to FY 2010 and 47 percent compared to FY 2011. There were 4,915 BRCs held with Ombudsman assistance in FY 2011 and the number increased to 7,226 in FY 2012. OIEC believes the increase in the need for Ombudsman assistance is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program.					

* Varies by 5% or more from target.

Agency: 448 Office of Injured Employee Counsel

Type/Strategy/Measure	2012 Target	2012 Actual	2012 YTD	Percent of Annual Target	
Output Measures					
4 # OF CCH W/ OMBUDSMAN ASSISTANCE					
Quarter 1	1,791.00	617.00	617.00	34.45 % *	358.20 - 537.30
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) exceeded this measure's target for the first quarter of FY 2012 because the number of Contested Case Hearings (CCH) with Ombudsman assistance was higher than anticipated. The number of CCHs with Ombudsman assistance has increased 30 percent compared to the same time period last year. In the first quarter of FY 2012, there were 608 CCHs held with Ombudsman assistance and in the first quarter of FY 2011 there were only 467.					
Quarter 2	1,791.00	716.00	1,333.00	74.43 % *	805.95 - 985.05
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) exceeded this measure's target for the second quarter of FY 2012 because the number of Contested Case Hearings (CCH) with Ombudsman assistance was higher than anticipated. The number of CCHs with Ombudsman assistance has increased 71 percent compared to the same time period last year. In the second quarter of FY 2012, there were 694 CCHs held with Ombudsman assistance and in the second quarter of FY 2011 there were only 406.					
Quarter 3	1,791.00	819.00	2,152.00	120.16 % *	1,253.70 - 1,432.80
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) exceeded this measure's target for the third quarter of FY 2012 because the number of Contested Case Hearings (CCH) with Ombudsman assistance was higher than anticipated. The number of CCHs with Ombudsman assistance has increased 56 percent compared to the same time period last year. In the third quarter of FY 2012 there were 784 CCHs held with Ombudsman assistance and in the third quarter of FY 2011 there were only 503.					
Quarter 4	1,791.00	755.00	2,907.00	162.31 % *	1,701.45 - 1,880.55
<u>Explanation of Variance:</u> OIEC exceeded this measure's target in FY 2012 due to the substantial increase in the need for Ombudsman assistance, which was significantly higher than anticipated. The number of CCHs with Ombudsman assistance has increased 51 percent in FY 2012 compared to FY 2010 and 48 percent compared to FY 2011. In FY 2012 there were 2,907 CCHs held with Ombudsman assistance and in FY 2011 there were only 1,954. OIEC believes the increase in the need for Ombudsman assistance is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program.					

* Varies by 5% or more from target.

Agency: 448 Office of Injured Employee Counsel

Type/Strategy/Measure	2012 Target	2012 Actual	2012 YTD	Percent of Annual Target	
Output Measures					
5 # OF OMBUDSMAN APPEAL PREPS					
Quarter 1	522.00	214.00	214.00	41.00 % *	104.40 - 156.60
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) exceeded this measure's target because more injured employees were prepared for an appeal than anticipated during the first quarter of FY 2012 which is a positive result. The number of injured employees that have attended preparation appointments has increased 44 percent compared to the same time period last year. In the first quarter of FY 2012, 214 injured employees were prepared for an appeal by an Ombudsman, and in the first quarter of FY 2011 there were only 149.					
Quarter 2	522.00	247.00	461.00	88.31 % *	234.90 - 287.10
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) exceeded this measure's target because more injured employees were prepared for an appeal than anticipated during the second quarter of FY 2012 which is a positive result. The number of injured employees that have attended preparation appointments has increased 82 percent compared to the same time period last year. In the second quarter of FY 2012, 247 injured employees were prepared for an appeal by an Ombudsman, and in the second quarter of FY 2011 there were only 136.					
Quarter 3	522.00	276.00	737.00	141.19 % *	365.40 - 417.60
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) exceeded this measure's target because more injured employees were prepared for an appeal than anticipated during the third quarter of FY 2012 which is a positive result. The number of injured employees that have attended preparation appointments has increased 60 percent compared to the same time period last year. In the third quarter of FY 2012, 276 injured employees were prepared for an appeal by an Ombudsman and in the third quarter of FY 2011 there were only 172.					
Quarter 4	522.00	302.00	1,039.00	199.04 % *	495.90 - 548.10
<u>Explanation of Variance:</u> OIEC exceeded this measure's target because more injured employees were prepared for an appeal than anticipated during FY 2012. The number of injured employees that have attended preparation appointments has increased 80 percent in FY 2012 compared to FY 2010 and 63 percent compared to FY 2011. In FY 2012, 1,039 injured employees were prepared for an appeal by an Ombudsman and in FY 2011 there were only 636. OIEC believes the increase in the need for Ombudsman assistance is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program.					
<u>2-1-1 RIGHTS RESPONSIBILITIES & REFERRAL</u>					

* Varies by 5% or more from target.

Agency: 448 Office of Injured Employee Counsel

Type/Strategy/Measure	2012 Target	2012 Actual	2012 YTD	Percent of Annual Target	
Output Measures					
1 # INJURED EMPLOYEES REACHED					
Quarter 1	185,000.00	46,059.00	46,059.00	24.90 %	37,000.00 - 55,500.00
Quarter 2	185,000.00	42,881.00	88,940.00	48.08 %	83,250.00 - 101,750.00
Quarter 3	185,000.00	47,698.00	136,638.00	73.86 %	129,500.00 - 148,000.00
Quarter 4	185,000.00	46,156.00	182,794.00	98.81 %	175,750.00 - 194,250.00
<u>3-1-1 ADVOCATE FOR INJURED EMPLOYEES</u>					
1 NUMBER OF ADOPTED RULES ANALYZED					
Quarter 1	9.00	3.00	3.00	33.33 % *	1.80 - 2.70
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC did not meet this measure's target during the first quarter of FY 2012 because more rules were adopted than anticipated.					
Quarter 2	9.00	4.00	7.00	77.78 % *	4.05 - 4.95
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC did not meet this measure's target during the second quarter of FY 2012 because more rules were adopted as anticipated.					
Quarter 3	9.00	4.00	11.00	122.22 % *	6.30 - 7.20
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC exceeded this measure's target during the third quarter of FY 2012 because more rules were analyzed and adopted than anticipated.					
Quarter 4	9.00	4.00	15.00	166.67 % *	8.55 - 9.45
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC exceeded this measure's target in FY 2012 because more rules were analyzed and adopted than anticipated.					

* Varies by 5% or more from target.

Agency: 448 Office of Injured Employee Counsel

Type/Strategy/Measure	2012 Target	2012 Actual	2012 YTD	Percent of Annual Target	
Output Measures					
2 # ADOPTED RULES W/PARTICIPATION					
Quarter 1	9.00	1.00	1.00	11.11 % *	1.80 - 2.70
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC did not meet this measure's target during the first quarter of FY 2012 because fewer rules that pertain to injured employees were adopted than the agency anticipated.					
Quarter 2	9.00	3.00	4.00	44.44 % *	4.05 - 4.95
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC did not meet this measure's target during the second quarter of FY 2012 because fewer rules that negatively impact injured employees were adopted than the agency anticipated; therefore, fewer recommended changes were necessary.					
Quarter 3	9.00	4.00	8.00	88.89 % *	6.30 - 7.20
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC exceeded this measure's target during the third quarter of FY 2012 because OIEC participated in more proposed rules than anticipated.					
Quarter 4	9.00	3.00	11.00	122.22 % *	8.55 - 9.45
<u>Explanation of Variance:</u> The Office of Injured Employee Counsel (OIEC) analyzes and actively participates in both the Texas Department of Insurance (TDI) and Division of Workers' Compensation (DWC) rule initiatives to carryout its statutory mission to advocate on behalf of the injured employees of Texas pursuant to Texas Labor Code §§404.101 and 404.104. OIEC exceeded this measure's target in FY 2012 because OIEC participated in more proposed rules than anticipated.					

Efficiency Measures

2-1-1 RIGHTS RESPONSIBILITIES & REFERRAL

* Varies by 5% or more from target.

Agency: 448 Office of Injured Employee Counsel

Type/Strategy/Measure	2012 Target	2012 Actual	2012 YTD	Percent of Annual Target	
Efficiency Measures					
1 AVG DAYS FOR INJURED EMP CONTACT					
Quarter 1	18.00	22.94	22.94	127.44 % *	17.10 - 18.90
<u>Explanation of Variance:</u> The performance for this measure did not meet the target during the first quarter of FY 2012 because the electronic distribution of the Notice of Injured Employee Rights and Responsibilities in the Workers' Compensation System is not mailed until the Division of Workers' Compensation is informed of the injury. Some injuries may not be identified until long after the date of injury.					
Quarter 2	18.00	20.39	21.70	120.56 % *	17.10 - 18.90
<u>Explanation of Variance:</u> The performance for this measure did not meet the target during the second quarter of FY 2012 because the electronic distribution of the Notice of Injured Employee Rights and Responsibilities in the Workers' Compensation System is not mailed until the Division of Workers' Compensation is informed of the injury. Some injuries may not be identified until long after the date of injury.					
Quarter 3	18.00	17.20	20.14	111.89 % *	17.10 - 18.90
<u>Explanation of Variance:</u> The performance for this measure exceeded the target during the third quarter of FY 2012, which is a positive result. The target was exceeded due to the timely electronic distribution of the Notice of Injured Employee Rights and Responsibilities in the Workers' Compensation System.					
Quarter 4	18.00	12.80	18.58	103.22 %	17.10 - 18.90

* Varies by 5% or more from target.